
Public Forest Service Roads— A “Service First” Approach To Managing Our National Forests

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Every now and then a unique opportunity arises that can dramatically improve the United States Department of Agriculture (USDA) Forest Service’s ability to provide true customer service for millions of people. These opportunities usually require a dramatic change in the way Forest Service professionals think and behave and generally involve an element of risk; both to the Agency and to its staff. Although adherence to time-tested concepts and ideas are low risk, in order to realize true measurable gains, Forest Service professionals must consider new ways of doing business. The Public Forest Service Roads concept provides one of these unique opportunities that can truly improve service to the public.

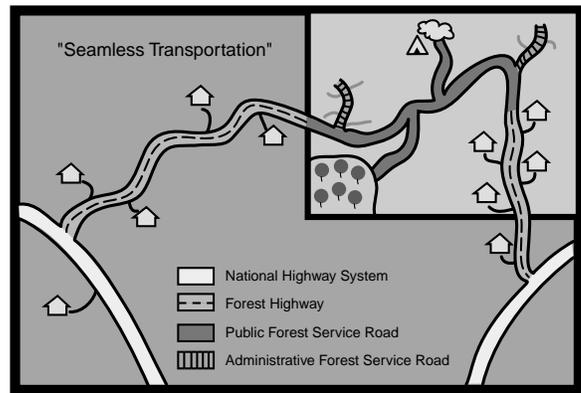
More than 200 million people visit the National Forests each year. Whether skiing, hiking, fishing, hunting, or touring backcountry roads access is required for all of these activities. People are habitual by nature, usually returning to their favorite recreational location time and time again. Most of the public assumes that access, and the quality of their journey, will remain unchanged throughout time.

Unfortunately, due to changes in agency programs and declining budgets, many of the 81,000 miles of roads now available for use by passenger cars are rapidly decaying to the point that the public is finding it difficult to negotiate the potholes and ruts, thus jeopardizing a safe and enjoyable experience that most take for granted.

In fact, recent estimates indicate that access for passenger cars on the National Forests is declining at the rate of 1,000 miles per year. Roughly half of the existing National Forest transportation system is now in “poor” condition. This is substantially higher than the current national average of 10 percent in poor condition, which includes State, county and other Federal agency roads. Recent studies show that by the year 2020, assuming static budget levels, road conditions will further deteriorate to the point that the majority of the main access roads will be in poor condition.



“Seamless transportation” is a concept that many transportation organizations are attempting to achieve, promulgated by recent public demands for providing quality access; both in urban and rural areas. Seamless transportation involves providing a safe, efficient, and enjoyable transportation experience for the public from their place of origin to their destination, irrespective of who owns or manages the roads. In many areas of the country, this goal is mostly achieved until reaching the boundaries of the National Forests, where road conditions often decline dramatically. Today’s transportation organizations and professionals are seeking to practice seamless transportation more often than in years past. The public’s opinion of the quality of the journey is based upon the total trip, not just their travel on the most highly used roads. This change in opinion affords land management agencies such as the Forest Service new opportunities for pursuing funding sources and seeking permanent access to realize the goals of seamless transportation.



To achieve seamless transportation, additional funding and a renewed commitment to ensuring access to the National Forests are necessary. The Public Forest Service Road (PFSR) program is an obvious answer. Designating main access roads as “public roads,” guarantees that roads will remain open and available for generations of users without hindering the Forest Service’s ability to temporarily close roads for important reasons, such as emergencies, extreme weather conditions, to protect wildlife or to protect the road facility. Designating roads as “public roads” allows for new funding sources using Highway Trust Funds (HTF) similar to how most State and many county roads are funded and provides new opportunities beyond just highways. Transit funds can be used to build turnouts for buses, bicycle staging areas, bicycle lanes, ferries and terminals, and a variety of other transit-related opportunities along National Forest System roads that are public roads. To compete for these funds, the facility must be designated as a “public road” and managed according to the same laws and regulations as State highways.

In 1998 the Forest Service was designated as a public road authority. Inclusion of PFSRs in the next Highway Bill, with designation of many of our roads as “public roads,” would provide new and guaranteed sources of funding that are currently unavailable, thereby allowing for significant improvements to the National Forest road system. It would also require that we develop corresponding transportation management systems for road and bridge condition, and safety and congestion systems for monitoring our roads that are required by the States and many counties. The cost to perform these functions would be funded by HTFs. In all respects, the Forest Service and its road system would be on an equal footing with State Department of Transportation roads. As a result, the Forest Service’s ability to meet the public’s goal of seamless transportation would be enhanced immeasurably.

As stated in the opening paragraph, most unique ideas are not without an element of risk; or at least perceived risk. Also, additional responsibilities exist for the Forest Service, some which may be difficult to fulfill. Three of the most often cited potential risks or areas of additional responsibilities specific to implementation of a PFSR Program are:

- **Possible Increased Tort Liability** – designation of a National Forest System road as a “public road” may induce increased tort liabilities. Consultation with the Office of General Counsel suggests that there should be no difference in litigation outcome whether a road is designated public or remains administrative. However, the degree or validity of risk will not be clear until many years after the program is implemented.
- **Increased Management Responsibilities** – designation of public roads requires a heightened responsibility for maintaining the system at tolerable safety and environmental standards. When HTFs are involved, the United States Department of Transportation (DOT), Federal Highway Administration (FHWA) is required to provide oversight for how the facility is managed and maintained. Since most of the 60,000 miles of potential PFSRs are the most highly used roads in the National Forest System, this should not be a deterrent.
- **Resource Management Implications** – Roads designated as public have certain restrictions and cannot be managed in the same manner as administrative roads. Public roads must remain open except for emergencies, extreme weather conditions, or scheduled closures. However, annually scheduled wildlife closures, such as for goshawks or Peregrine Falcons, are permissible. Because most candidate public roads are high-use arterial and collector routes, where unscheduled road closures rarely occur, such roads are unlikely to conflict with forest plans and road management objectives. However, if or when resource objectives change for the road, it can be removed from public road status and returned to administrative status. If HTFs have already been spent on the road facility while designated as a public road, the funds may have to be returned to the FHWA.

Although there are some potential risks and concerns with the program, the benefits are numerous. A few of the benefits that can be cited are:

- **Additional Funding Sources** – as stated earlier, designation of roads as public roads qualifies them for receiving Highway Trust Funds that are generated by Federal gas taxes. Opportunities for eligibility are numerous.
 - **Reauthorization of Highway Bill** – The USDA Forest Service is attempting to secure \$2.4 billion over 6 years through reauthorization of the next Highway Bill in 2004. Whether these efforts will be successful should be apparent by mid-2004.
 - **Public Land Discretionary Fund** – PFSRs are eligible to compete for HTFs through this FHWA-sponsored program and managed through the States. The USDA Forest Service was successful last year in getting two Kentucky PFSRs funded through this source.
 - **Surface Transportation Enhancement Funds** – designation as public roads would improve the Forest Service’s ability to compete for funding opportunities for fish passage structure rehabilitation,

construction of recreational kiosks and scenic overviews, and other eligible enhancements.

- **Highway Safety Funding** – States currently receive funding for developing and maintaining broad safety programs resulting in products such as videos and brochures for the public dealing with safety issues. Designation of a large amount of public roads would help qualify the Forest Service for receiving a fair portion of these funds.
- **Transit Funding** – Public Roads are eligible to receive transit funding. This funding source is rapidly growing due to changes in demographics and the public’s desire to use mass transit. Eligible activities include parking lot construction, ferries and terminals, bus turnouts, brochures, signage, bicycle lanes adjacent to forest roads, and so on.
- **Partnerships with States/FHWA** – Designation of public roads provides a “place at the table” with other transportation organizations. This can include better tools for managing the transportation system, better partnerships with State DOTs and local governments in pursuit of seamless transportation, admittance as full team members in development of transportation policy issues that affect the road facility as well as environmental efforts, such as streamlining, fill-and-dredge permitting processes, use and application of wildlife crossings, and other priorities. Improved relationships with other transportation agencies would have a myriad of intangible benefits, including the ability to persuade States to recognize transportation issues that affect National Forest System Lands, more fruitful discussions on controversial issues, and the ability to share resources between State and Federal agencies.
- **Protection of Resources** – no matter how you cut the cards, the only way to reduce surface sediment into streams and keep roads from falling off hillsides is to keep roads well-maintained and correct impending failures before they occur. Because currently we do not receive enough funds to do proper maintenance, the resources will continue to suffer until additional funding sources are found. In addition, new requirements for mitigation of resource impacts caused by roads, such as fish passage and wildlife crossings, will require additional funding sources.
- **Economic Stabilization and Diversification of Rural Communities** – although this is difficult to validate, the FHWA has recently reported that 100 jobs are created for every \$40 million of highway projects. This can add a significant boost to the economies of small communities that are struggling to survive recent cutbacks in the timber program.

Whether or not the Forest Service is successful in getting the PFSR category through reauthorization of the next Highway Bill, the Forest Service can and will continue to designate National Forest System roads as public. As forest managers weigh the benefits against the shortfalls and risks associated with this designation, many will find that it is worth the risk.

The PFSR program is one avenue for providing a safe, seamless, and enjoyable traveling experience for visitors accessing the National Forests while simultaneously ensuring permanent access for future generations. It is worth the risk!